

DETAILED ACTION

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

. The prior art taken alone or in combination fails to teach or suggest if a vehicle-mounted transponder is determined to be within the operable range of one of the first electromagnetic fields and if a hand-held transponder is determined to be within the operable range of one of the second electromagnetic fields corresponding to the same fuel dispenser, then overriding the use of the customer identification data from the vehicle-mounted transponder so that the customer identification data from the handheld transponder may be used to process the transaction at the fuel dispenser taken in combination with a fuel dispensing method with radio frequency customer identification capabilities as recited in independent claim 25.

The prior art taken alone or in combination failed to teach or suggest processing equipment in communication with the at least one reader and the dispenser for associating customer identification data received at the dispensing area with a transaction at the dispenser, whereupon the transaction at the dispenser is charged to the customer according to the customer identification data, the processing equipment being operable to override the use of the vehicle-mounted transponder for charging the transaction to the customer and instead allowing use of the hand-held transponder for charging the transaction to the customer when both the vehicle mounted transponder and hand-held transponder are within the respective predetermined operable long range and short range of the dispensing area as recited in independent claim 50.

The prior art taken alone or in communication failed to teach or suggest “if there has been a determination that there has been an activation of the dispenser, associating the customer identification data received by the reader from either the vehicle-mounted transponder or the hand-held transponder with a transaction at the activated dispenser whereupon the transaction at the activated dispenser is permitted and charged to the customer according to the customer identification data and if both a vehicle-mounted transponder and a hand-held transponder are determined to be within the respective vehicle fueling range and close range before the dispenser is activated, overriding the use at the dispenser of the vehicle-mounted transponder, whereupon following activation of the dispenser the hand-held customer identification data received by the reader is associated with a transaction at the activated dispenser, the transaction at the activated dispenser is permitted and charged to the customer according to the hand-held transponder customer identification data “ as recited in independent claim 55.

The prior art taken alone or in combination failed to teach or suggest “determining whether a hand-held transponder containing customer identification data is within a close range of the dispenser, the close range being smaller than the ,vehicle fueling range, the reader including a second antenna for emitting radio frequency signals within the close range, and for receiving customer identification data from the transponder responsive to the emitted radio frequency signals received by the transponder and associating the customer identification data received by the reader from either the vehicle-mounted transponder or the hand-held transponder with a transaction at the dispenser, whereupon the transaction at the dispenser is permitted and

charged to the customer according to the customer identification data” as recited in independent claim 56.

The prior art taken alone or in combination failed to teach or suggest " determining whether a hand-held transponder containing customer identification data is within a close range of the dispenser, the close range being smaller than the vehicle fueling range, the reader including a second antenna for emitting radio frequency signals within the close range, and for receiving customer identification data from the transponder responsive to the emitted radio frequency signals received by the transponder and associating the customer identification data received by the reader from either the vehicle-mounted transponder or the hand-held transponder with a transaction at the dispenser, whereupon the transaction, at the dispenser is permitted and charged to the customer according to the customer identification data” as recited in independent claim 57.

The prior art taken alone or in combination failed to teach or suggest “determining that a hand-held transponder containing customer identification data is within the operable range of the short-range antenna of the first dispenser and wirelessly receiving customer identification data in the hand-held transponder by a reader associated with the first dispenser and activating the first dispenser in response to the hand-held transponder passing within the operable range of the short-range antenna as recited in independent claim 68.

The prior art taken alone or in combination failed to teach or suggest “determining that a hand-held transponder containing customer identification data is within the operable range of the short-range antenna of the first dispenser surface and wirelessly receiving customer identification

data in the hand-held transponder by a reader associated with the first dispenser surface; and activating a corresponding dispenser in response to the hand-held transponder passing within the operable range of the short-range antenna of the first dispenser surface" as recited in independent claim 78.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Frantzy Poinvil/
Primary Examiner
Art Unit 3696**

FP
August 27, 2009